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October 19, 2011

By ECF and Hand Delivery

Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: USA v. Sydney Chase, 09-CR-682 (NGG)

Your Honor:

I write on behalf of my client, Sydney Chase, who is scheduled for sentencing on **Friday, October 28, 2011 at 12:00 noon.**

As indicated in the **Pre-Sentence Report (PSR)** at ¶ 74, the Advisory Guideline Provisions, based on a total offense level of 10 and a criminal history of I, put Mr. Chase in an guideline imprisonment range of 6 to 12 months. As such, he is eligible for a sentence of probation with a condition of home detention as provided for in Guideline 5B1.1(a)(2). **PSR at ¶ 78.** It is our hope that Your Honor will find, given "the nature and circumstances of the offense and the history and characteristics of the defendant," that a sentence no greater than that is "reasonable" and consistent with the purposes of 18 U.S.C. §3553 (a).

As You can see in the **PSR**, Mr. Chase is a 43 year old former corrections officer for the Bureau of Prisons at the Metropolitan Detention Center in Brooklyn, NY who unlawfully received \$55,904.08 in workman's compensation benefits during the period from March of 2005 to February of 2007. He has had no problems with the law before or since this episode. Instead, he has had a long and steady employment record and has been the sole support

of his wife and two young children, ages 9 and 1. His wife describes him as a, "good, honest, and hard-working individual," and, "an excellent husband," who, "takes good care of his family." **PSR at ¶37.**

Currently, in addition to the actual back injury related to this offense, Mr. Chase is suffering from a host of physical ailments which have been diagnosed as hypertension, an enlarged heart, an irregular heartbeat, sleep apnea, and diabetes and has medical procedures scheduled for November and December.

Also, I have recently learned that Mr. Chase has been dealing with efforts to foreclose on his house. Nonetheless, he has made payments of \$1100 in advance towards the restitution that he will owe as a show of "good faith".

Finally, I am attaching some letters that I have received from people that know Mr. Chase and wanted to express their feelings about him to Your Honor.

Thank You for Your attention to and consideration in this matter.

Sincerely,

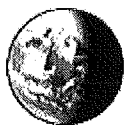
A handwritten signature in black ink that reads "Michael P. Padden". The signature is written in a cursive, flowing style.

Michael P. Padden, Esq
(718)330-1240

cc.: AUSA Andrew E. Goldsmith

USPO Michelle Espinosa

Sydney Chase



michael green
<harlemneedshugs@yahoo.com>

10/12/2010 04:25 PM

To michael_padden@fd.org

cc

bcc

Subject Character Letter for Sydney Chase

Dear Honorable Nicholas G. Garaufis

My name is Michael C.Green and i am the founder of a non-profit organization
call Hugs For Harlem Inc. we have been around for 8 years helping many inner-city youths.

Mr. Sydney Chase is a mentor to many young men at Hugs For Harlem and is a great community leader.

Mr.Sydney Chase has been part of Hugs For Harlem for 6 years. Mr.Chase is a positive person to be around and teaches our young youths how to be fathers and husbands to their families.

I am asking that you Honorable Nicholas G. Garaufis show mercy and let Mr.Chase continue to do
the good work he has started with the youths of Hugs For Harlem and his community.

Sincerely Yours

C.Green

Michael

From: actfree@aol.com
To: michael_padden@fd.org, infocus282@aol.com

Date: Wednesday, October 06, 2010 11:52PM
Subject: Sidney chase

Dear Mr. Michael Padden,

I have known Sidney Chase for at least ten years. From the first time I meet him I knew he was a friend for life. Sidney is a very hard working, loyal and honest individual. He has worked all his life to be a strong man of Christian faith and a very respectful man, father, son, husband, brother and friend. Although Sidney comes from tough beginnings he has never been in trouble before. I can't even remember him mentioning getting a speeding ticket. For as long as I've known Sidney he has worked long hours to provide for his family and take care of his ill father. He always put's his family first. He is a dedicated and loyal friend. When I was sick an battling cancer Sidney took time out to come visit me, send me cards and encourage me to get better and return to work when I wanted to give up. When I returned to work he changed his post so he could be in the rear sallyport where I worked and be around if I got sick or needed anything. Even when I told him I was alright and to stop babying me he still stood by my side. He wouldn't allow me to respond to body alarms and when I did he would be right there with me to protect me from the incident. I may not be here today to write this email if it wasn't for Sidney's support and encouragement. As I sit here and write this e-mail tears are streaming down my face because I can't believe my friend, my brother is going through this. I can't believe the prosecutors would even pursue such a case. It is my opinion that the justice system will be doing a grave disservice to society by wasting money on prosecuting such a man. Especially with the economy so tight. It cost money to bring the case to court, If he is sentenced, more money is spent housing a non-violent, law abiding citizen that made a mistake. Not to mention money that will be spent on re-entry programs, job training and bonds to hire him when he returns home. Is it really worth tax payers dollars to prove a point. The question is what is the point? All humans make mistakes in life but all shouldn't be made to pay by destroying their lives for a mistake. Making Sydney a convicted felon is a disservice to the community and society. As a federal employee and a veteran of this country it saddens me to see such a honorable person go through the judicial process when you have people who are **well off and getting caught with illegal drugs in there car walk Scott free!!!** Sidney has so much to offer not only the people who know him but the world. If he has to pay the consequences for his mistake then it is of my opinion that he be allowed to pay the money back. If that's not a option than community service or time served would be more than sufficient. I hope the Honorable judge and prosecutors see it in their heart to give this more than deserving man a second chance and not subject him to any more embarrassment and humiliation than he has already faced. Allow him to put this case behind him and continue to be of service to the community and make a honest living to provide for his family. It is my opinion this issue was indeed a honest mistake and not a case of greed.

Sincerely,
 J.Sneed

Character letter in regards to Sydney Chase

To: Honorable Nicholas G. Garaufis

I personally know Mr. Chase for more than 15 yrs. He is a man respected by many; he works hard and loves his family. He is diligent in all that he does, and takes pride in maintaining his family and personal responsibilities. I can truly say he is an asset to society because of his lifelong dedication in being a diligent man, a faithful husband, a great father to his children and a role model to many. He always speaks positive about life and the importance of making family a priority in life. He has a heart of gold, and there is nothing he won't do for anyone that is in need. He is a very helpful and reliable individual. He always over extends himself to help others, rather great or small.

I know Mr. Chase to be a friend and a great person overall! He is someone that I can truly say I admire as a man because although he may not have come from a perfect family, he has exemplified himself as a great man, father and husband to his family.

Sincerely,
Tonya Coleman

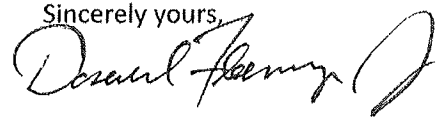
December 4, 2010

Honorable Nicholas G. Garaufis,

My name is Donald Flannagan Jr., I have known Sidney Chase since 2000, and he is a close family friend. He is a hardworking person and dedicated family man. He is well respected by everyone who has come to know him. I have never heard anything negatively expressed about him or his character. He is a well respected person and an active member of his church, Reaching Out For Jesus Christian Center where he oversees the male and youth ministries.

He sincerely acknowledges his bad judgment and is remorseful of his actions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Donald Flannagan Jr.", with a stylized flourish at the end.

Donald Flannagan Jr.